

UNITED STATES COURT OF APPEALS

SEP 28 2009

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DALE STEPHEN RODABAUGH,

Petitioner - Appellant,

v.

P. L. VASQUEZ,

Respondent - Appellee.

No. 07-55673

D.C. No. CV-02-09754-MMM
Central District of California,
Los Angeles

ORDER

Before: PAEZ, TALLMAN and N.R. SMITH, Circuit Judges.

The petition for panel rehearing is granted in part. The memorandum disposition filed on June 22, 2009 is withdrawn. A replacement memorandum disposition will be filed concurrently with this order.

No further filings shall be accepted in this closed case.